Remarks

Claims 1 and 3-23 are pending. Claims 1 and 12 are amended for greater clarity.

The Examiner rejected Claims 16-17 and 19-21 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent 6,124, 810 ("Segal") in view of U.S. Patent 5,444,444 ("Ross"). This rejection is substantially the same rejection as previously set forth in the Office Action of August 27, 2002. With respect to Claims 16-17, the Examiner states:

> Regarding claims 16-17, Segal discloses the mobile unit comprising:
>
> - a location system (212) / G.P.S. system (106) [figs.1-2, col.4, lines 1-12 and col.5, lines 52-65];
>
> - a wireless device (200,202,206) is installed in a vehicle (108) linking with a service center (102) over a wireless network (106) [figs. 1-2, col.4, lines 1-12 and col.5, lines 23-39];
>
> - a control circuit (200,202,206) including a user interface (214) [fig. 2, col. 5, lines 22-51 and col.14, lines 53-64];
>
> - a control circuit (200,202,206) is installed in the vehicle (108) receives a destination list / "load assignment" from the services center (102) [figs. 1-2, col. 3, line 65 to col. 4, line 12 and lines 24-62];
>
> - the control circuit (200,202,206) determines a current destination from the destination list, automatically activates the location system to determine a current location of the mobile unit, determines whether the mobile unit has crossed a threshold relating to the current destination, and activate the wireless device to send an alert signal if the mobile unit has crossed the threshold and send a message to inform the service center (102) of the current destination by an I/O device (214) [fig. 2, col. 4, lines 57-62 and col. 10, lines 1-27];
>
> - the I/O device (214) can be operated/reprogrammed data information in a memory storage (204) by a vehicle operator to select an appropriate way from the destination information because of traffic problem [fig. 2, col. 5, lines 46-51, col. 10, lines 18-27 and col. 13, lines 55-65].

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> Segal fails to specifically mention the user interface allows a user / operator to edit the destination list received from the control circuit.
>
> For a better service also to save time and energy because of heavy traffic problem or weather conditions the vehicle operator may modify the destination list received as load assignments.
>
> Furthermore, Ross discloses a control circuit (10) including a user interface / keyboard (12) which allows a user to edit the destination list received can be utilized in a mobile vehicle or carrier is equipped with a satellite receiver, a controller and a communicator. The controller compares the current location of the vehicle to the location of the party receiving the delivery / pickup [figs.2-3, col.5, lines 33-45]. Therefore, it would have been obvious to one having ordinary skill in the art was made to employ the system of Segal as taught by Ross for allowing a vehicle operator a capability to adjust and select the delivery schedule in a manner way.

Applicant respectfully traverses the Examiner's rejection. Claim 16 recites:

> a control circuit including a user interface, wherein (1) the control circuit receives a destination list from the service center over the wireless connection, (2) the user interface allows a user to edit the destination list received and to select a current destination from the destination list, and (3) the control circuit sends a message to inform the service center of the current destination, automatically activates the location system to determine a current location of the mobile unit, determines whether the mobile unit has crossed a threshold relating to the current destination, and activates the wireless device to send an alert signal if the mobile unit has crossed the threshold.
>
> (emphasis added)

As explained in Applicant's Specification, beginning at page 7, line 30 to page 8, line 9, by allowing the user of the mobile unit to select the next destination, local traffic conditions or other conditions which cannot be anticipated from the service center can be accommodated. In addition, because the current destination is confirmed with the service center by means of a message, an updated destination list can be made available by the service center through a server accessible over a wide area network. In contrast, as discussed at

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Ross's col. 4, line 50 to col. 5, line 5 and at col. 6, line 45-63, Ross teaches detecting the next destination by comparing the current location against all the possible destinations in sequence:

> If deliveries remain on the schedule, the controller 10 compares the location of the delivery vehicle to the delivery location for each package to be delivered in sequence. The controller 10 first accesses the data storage device 16 to determine if the recipient of that particular delivery has already been notified 50 of the pending delivery of the item. If the recipient has already been notified of delivery, the controller 10 considers the next delivery in sequence of deliveries.
>
> Otherwise, the controller 10 compares 52 the location of the delivery vehicle to the delivery location. The controller 10 then determines an estimated time of arrival at that delivery location. ... If the period 54 for the estimated time of arrival is greater than a predetermined interval, the controller 10 repeats 46 the analysis for the next delivery in the sequence of deliveries.
>
> * * *
>
> The controller 10 compares the location of the bus to the location of the school bus stops in sequence. The controller 10 then determines the estimated time of arrival at the particular bus stop being evaluated. ...
>
> If the period before the estimated time of arrival at the bus stop is greater than a predetermined interval, the controller 10 repeats the analysis for the next bus stop in sequence in the route. ...

Thus, Ross does not disclose or suggest allowing a user to select or vary the next destination in sequence. Consequently, the combined teachings of Segal and Ross therefore do not disclose or suggest the above-quoted limitations of Applicant's Claim 16. Notwithstanding this defect, the Examiner states that "[f]or a better service also to save time and energy because of heavy traffic problem or weather conditions the vehicle operator may modify the destination list received as load assignments." The Examiner provides no support for his statement from the prior art. Without support from the prior art, the Examiner merely improperly applies against Applicant's claim the teachings taken from Applicant's

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Specification, at pages 7-8. In fact, the Examiner's statement is contrary to the teachings of Segal -- the very prior art reference that the Examiner seeks motivation to combine – which teaches, at col. 2, lines 41-47, to minimize or completely eliminate driver intervention with respect to handling arrival at and departure from planned or unplanned destinations, much less allowing a driver to modify the destination list:

> The present invention is an apparatus and method for determination the status of a vehicle in transit. In particular, the present invention determines if a vehicle has arrived or departed from a planned or an unplanned stop, while minimizing or eliminating the need for driver intervention.

Thus, the prior art reference Segal, on which the Examiner relies for his rejection, teaches against the basis of the Examiner's rejection. Thus, Applicant respectfully submits that the combined teachings of Segal and Ross do not support the Examiner's contention that Claim 16 obvious. Accordingly, Claim 16 and dependent Claims 17 and 19-21 are each allowable over Segal and Ross, individually and in combination. Reconsideration and allowance of Claims 16-17, and 19-21 are therefore respectfully requested.

The Examiner rejected Claims 1, 3-5, 8-15 and 22 under 35 U.S.C. § 103(a) as being unpatentable over Segal in view of U.S. Patent 5, 724, 243 ("Westerlage"), further in view of U.S. Patent 5,668,543 ("Jones"). The Examiner states, in pertinent parts:

> Regarding claim 1, Segal discloses an alert generating method [figs. 1-2] comprising:
>
> - providing a wide area network (106) that allows a user to specify conditions for an alert and action to be carried out when the conditions for the alert are met, the conditions referencing a position of a mobile unit (108) [figs. 1-4, col.3, line 65 to col.4, line 24 and col. 9, lines 44-56]
>
> - providing to the mobile unit (108) over a wireless network (106) information (206) that the conditions for an alert

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[figs. 1-4, col.9, lines 44-46 and col. 9, line 66 to col. 10, line 27];

- monitoring in the mobile unit position (108) the mobile unit's position [col. 9, line 66 to col. 10, line 27];

-providing the service center (102) a signal [col. 10, lines 10-27].

Segal fails to specifically disclose a server is used on a wide area network and alerting a designated location by carry out the specified action from the service center upon receiving the signal.

A server / data storage unit is very important and popular in the computer system which receives / stores all informations as instructed by a computer operator and may transmit those informations to a network user as requested.

However, Segal does disclose the alerting signals from the mobile vehicle (108) to the dispatch center (102) for informing or determining the status of the vehicle in transit such as the vehicle has arrived or departed from a planned or unplanned stop. The dispatch center (102) which facilitates the control and monitoring of vehicle known as "load assignment" or destination information by a wireless network [col. 3, line 65 to col.4, lines 62, and col.10, lines 10-27].

Westerlage teaches a system (10) for determining an expected time of arrival of a vehicle (40) equipped with a mobile unit (42) includes a dispatch (20) along with a central controller (72) having a **database** memory (74) for storing and monitoring the vehicle position and in response to the vehicle position [fig. 6, col. 13, lines 3-13]. Therefore it would have been obvious to one having ordinary skill in the art to have the system of Segal as taught by Westerlage to provide an efficient and orderly way to manage the storage & retrieval/delivery of the stored information to intended users.

The combination of Segal and Westerlage still missing alerting a designated location by carry out the specified action from the service center upon receiving the signal.

For a business to track deliveries, the business's customers who may be interested in knowing when a delivery will arrive by alerting them through a telephone, page messages, an email message or any other communication means.

Furthermore, Jones teaches an advance notification system (10) could send an alert message such as "the bus will be arrive /

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> late in five minutes" from a base station (14) to the designated location such as student homes / passenger location (36) in response to the signal from a mobile unit / pick up vehicle / bus (12) by a wireless communication which is used for communications and tracking systems that track the location, movement and destination of vehicles or individuals [figs. 1,4 col.3, lines 1-34, col.10, lines 15-24 and abstract]. It would have been obvious to one having ordinary skill in the art to have the system of Segal as taught by Westerlage and Jones includes alerting a designated location for notifying or alerting the customer the time for goods delivery or pickup at any desired location.

Applicant respectfully traverses the Examiner's rejection. As amended, Claim 1 recites:

> providing a server on a wide area network accessible by a user to specify conditions for an alert and an action to be carried out when the conditions for the alert are met, the conditions referencing a position of a mobile unit;

As explained in Applicant's Specification, at page 6, lines 24-29, allowing a user to manage the destination list over a wide area network (e.g., the Internet), alert conditions and contact information in a destination list can be modified by one or more users even after a rover is en route. Neither these above-quoted limitations, nor their attendant benefits, are disclosed or suggested by Segal, Westerlage or Jones. The Examiner cited Segal's Figs. 1-4, col. 3, line 65 to col. 4, line 24 and col. 9, lines 44-46 as his support for contending that Segal teaches "providing a wide area network (106) that allows a user to specify conditions for an alert and action to be carried out when the conditions for the alert are met, the conditions referencing a position of a mobile unit (108)." However, contrary to this assertion by the Examiner, Applicant does not find such a teaching disclosed in any of the portions of Segal that the Examiner cited. Fig. 1 shows a satellite communication system 100. Fig. 2 shows the components used for automatically determining vehicle arrivals and departures from planned and unplanned stops. Fig. 3 is a flow chart detailing the steps that are performed to determine if a vehicle has arrived at a planned stop. Fig. 4 is a flow diagram illustrating the steps that

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are performed to determine if a vehicle has departed from a planned stop. At Segal's col. 3, line 65 to col. 4, line 24, reference numeral 106 merely refers to a communication satellite. Col. 9, lines 44-46, recite that the processor 206 "determine[s] the approximate differential distance between the present vehicle position and the planned stop." User access to the wide area network to specify the alert conditions is not taught, however. Consequently, the combined teachings of Segal, Westerlage and Jones do not support the Examiner's rejection of Claim 1 under 35 U.S.C. § 103(a).

With respect to Claim 5, contrary to the Examiner's assertion, Segal at col. 3, lines 55-64 does not teach sending email in response to an alert condition. Further, with respect to Claim 13, Segal does not teach or suggest allowing an operator to select a destination out of sequence, as discussed above with respect to claims 1 and 16 above. Claim 14 recites:

> providing a mechanism accessible over a wide area network for users related to the destinations to specify actions to be carried out when the alert is generated;
>
> downloading a portion of the list of destinations to a mobile unit installed in a delivery vehicle, the downloading being effectuated over a wireless network connection which links the mobile unit to the service center over a wide area network;
>
> selecting a destination from the list as a next destination for a delivery vehicle;

As discussed above, the combined teachings of Segal, Westerlag and Jones disclose or suggest neither access over a wide area network to specify alert conditions (or actions to be carried out), nor modification of a destination list by the vehicle operator. Accordingly, Applicant submits that Claim 1 and dependent Claims 3-5 and 8-15 are each allowable over Segal, Westerlage and Jones, individually and in any combination.

Similarly, as amended, Claim 22 recites:

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> wherein the service center comprises a server that permits access to the service center over the wide area network for setting the designated location to which the alerting device sends the alert and the conditions for the alert ...

Thus, for the reasons already discussed above with respect to Claim 1, Applicant submits that Claims 22-23 are likewise allowable over Segal, Westerlage and Jones, individually or in any combination.

Reconsideration and allowance of Claims 1, 3-5, 8-15 and 22 are therefore requested.

The Examiner rejected Claims 6-7, 18 and 23 under 35 U.S.C. § 103(a) as being unpatentable over Segal, Westerlage, further in view of Jones and further in view of Fan. The Examiner states:

> Regarding claims 6-7 & 23, Segal/Westerlage do not specifically disclose the alerting signal wherein providing that identifies the conditions for the alert, comprises downloading the information / destination list to a web site corresponding to the service center.
>
> Website Internet is a matrix of networks that connects computers around the world so multiple people could access and manage information data.
>
> However, Fan provides the concept of using the wireless network (27) such as the web site Internet can be downloaded to the vehicle location service (3) or can be loaded directly from software storage media (32) for locating and traveling information includes a map database search system and a G.P.S. wireless communication system (8) [fig.1, col.5, lines 53-61 col.6, lines 34-61]. It would have been obvious to one having ordinary skill in the art to use the System of Segal as taught by Westerlage. Jones and Fan' includes an Internet website feature for providing more convenient and accurate delivery information to the mobile unit that track location, movement and destination of vehicle or individual.
>
> Regarding claim 18, Fan discloses a wireless device is a wireless modem (146) [fig. 5, col. 10, lines 6-8].

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Applicant respectfully traverses the Examiner's rejection. Claims 5-6, 18 and 23 each depend from Claims 1, 16 and 22 respectively, and are thus allowable over Segal, Westerlage and Jones for the reasons already set forth above. Thus, combining the teachings of Fan with Segal, Westerlage and Jones in the manner suggested by the Examiner does not disclose nor suggest Applicants' Claims 5-6, 18 and 23. Reconsideration of Claims 5-6, 18 and 23 are therefore requested.

Therefore, all pending claims (i.e., Claims 1 and 3-23) are allowable over the art of record. If the Examiner has any question regarding the above, the Examiner is respectfully requested to telephone the undersigned Attorney for Applicant at 408-392-9250.

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Mail Stop RCE, Commission for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.

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